



Sarah Healy Eagan
Acting Child Advocate

**Testimony of Sarah Eagan, Acting Child Advocate
In Support of**

HB 5221, An Act Concerning the Recommendations of the Connecticut Sentencing Commission Regarding Lengthy Sentences for Crimes Committed by a Child or Youth, & the Sentencing of a Child or Youth Convicted of Certain Felony Offenses

**Judiciary Committee
March 3, 2014**

Senator Coleman, Representative Fox, Senator Doyle, Representative Ritter, Senator Kissel, Representative Rebimbas, and distinguished members of the Judiciary Committee: I appreciate the opportunity to offer this testimony today **in support of HB 5221**.

The mandate of the Office of the Child Advocate (OCA) includes evaluating the delivery of state funded services to children and advocating for policies and practices that promote their well-being and protect their special rights.

Background

Children ages 14 to 17 charged with certain crimes are automatically tried in adult court and subject to mandatory lengthy no-parole prison terms, including life without the possibility of parole.

In 2013, legislation reflecting the consensus recommendations of the Connecticut Sentencing Commissions overwhelmingly passed the House (HB 6581) but unfortunately was not called for a vote in the Senate.

House Bill 5221 provides parole eligibility rules tailored for juveniles serving lengthy prison sentences. Release would not be guaranteed but would be possible only if a review allows the parole board to determine that a person had truly rehabilitated and can be safely released.

House Bill 5221 eliminates mandatory life-without-parole sentences for children and requires judges to consider youth-related factors in sentencing juveniles transferred to adult court.

House Bill 5221 reflects the science of adolescent brain development.

Science confirms that the adolescent brain is not fully developed until far into the twenties, and that the last features of the brain to develop are those that control judgment, decision-making and proper understanding of the consequences of actions.

Brain science has already dramatically influenced many of our public policies in Connecticut that affect child welfare, educational, mental health, correctional and juvenile justice services.

The OCA, through its unique authority, works closely with all state agencies having responsibility for children and youth to ensure that policies, procedures and practices reflect awareness of this knowledge and serve children and youth in a *developmentally appropriate* way. Collaborative advocacy efforts have resulted in:

- The Department of Children and Families is currently working to incorporate the neuroscience of child development into all of its practices and policies involving children zero to three through adolescents aging out of foster care.
- Court Support Services Division has received national acclaim for changes in juvenile justice policies and practices that have resulted in fewer numbers of children involved with the court system and decreased delinquency commitments.
- Department of Correction, at both the Manson Youth and York Correctional Institutions, is currently engaged in a multi-agency and multidisciplinary review to ensure the unique needs of adolescents in facilities are understood and met.
- OCA, due to our unique access to children and youth living in state-funded facilities, has witnessed firsthand the harsh realities of incarceration for young people, as well as their *potential for positive development* through maturation, education, and access to developmentally appropriate rehabilitative programming and health services.
- Department of Mental Health and Addiction Services has multiple initiatives to reform the conditions of care and treatment for young adults living in hospitals, and the agency is developing a statewide continuum of developmentally appropriate services and supports for young people transitioning from DCF.
- The State Department of Education is reviewing and supporting development of local practices and policies regarding Positive Behavioral Supports, graduated discipline, and reduction of harsh and ineffective school discipline practices.

Despite New Understanding of the Adolescent Brain and Implications for Public Policy, in Connecticut approximately 275 people are serving sentences of more than 10 years for crimes committed when they were under the age of 18.

- 88% of these individuals are African American or Hispanic.
- Approximately **50 people are serving sentence of 50 years or more for crimes committed under age 18**, most without the chance of parole.
- **4 individuals are serving mandatory life-without-parole sentences.** Under current law, they have no right to as second look after growing up in prison.

The OCA supports legislative changes entitling juvenile offenders serving lengthy sentences to meaningful review after a portion of their sentence is served, and release for those individuals who can demonstrate that they have matured and rehabilitated. The OCA similarly supports eliminating mandatory life-without-parole sentences for juveniles and allowing judges to consider youth-related factors in sentencing juveniles transferred to adult court.

Thank you for this opportunity to testify, and we look forward to working with you to institute these humane, evidenced-based and forward-thinking reforms for the benefit of Connecticut's young people and the state.

Sincerely,
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